

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Grace E. Humble,)	C/A No. 8:06-0873 DCN BHH
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
Michael J. Astrue,)	
Commissioner of Social Security,)	
)	
Defendant.)	
)	

This social security case is before the Court upon the magistrate judge's recommendation that the Commissioner's decision be reversed and remanded under sentence four of 42 U.S.C. §405(g) to the Commissioner for further proceedings.

This Court is charged with conducting a de novo review of any portion of the magistrate judge's report to which a specific objection is registered, and may accept, reject, or modify in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636(b)(1). However, absent prompt objection by a dissatisfied party, it appears that Congress did not intend for the district court to review the factual and legal conclusions of the magistrate judge. Thomas v. Arn, 474 U.S. 140 (1985). Additionally, any party who fails to file timely, written objections to the magistrate judge's report pursuant to 28 U.S.C. § 636(b)(1) waives the right to raise those objections at the appellate court level. United States v. Schronce, 727 F.2d 91 (4th Cir. 1984), cert. denied, 467 U.S. 1208 (1984). **Defendant's objections to the magistrate judge's report and recommendation were filed on August 1, 2007.**

A review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. Accordingly, the magistrate judge's report is incorporated into

this Order. For the reasons articulated by the magistrate judge, the Commissioner's decision is reversed and remanded under sentence four of 42 U.S.C. §405(g) to the Commissioner for further proceedings.

AND IT IS SO ORDERED.



DAVID C. NORTON
United States District Judge

Charleston, South Carolina
August 13, 2007

NOTICE OF APPEAL

The Parties are hereby notified that any right to appeal this Order is governed by Rules 3 and 4 of the Federal Rules of Appellate Procedure.